

THE HONORABLE JUDGE JAMAL N. WHITEHEAD

UNITED STATES DISTRICT COURT
WESTERN DISTRICT OF WASHINGTON
AT TACOMA

JSP SILVERDALE LAND, LLC; CG
SILVERDALE LAND LLC; and, TC
SILVERDALE LAND LLC,

Plaintiffs,

-vs-

Kitsap County,

Defendant.

NO. 3:25-cv-05288-JNW

STIPULATED MOTION TO
CONSOLIDATE CASES AND
~~[PROPOSED]~~ ORDER OF
CONSOLIDATION

NOTE ON MOTION CALENDAR:
July 8, 2025

TC SILVERDALE LAND LLC, JSP SILVERDALE
LAND, LLC, AND CG SILVERDALE LAND
LLC,

Plaintiffs,

-vs-

Kitsap County,

Defendant.

NO. 3:25-cv-05558-DGE

I. RELIEF REQUESTED

The parties, JSP Silverdale Land LLC, TC Silverdale Land, LLC, and CG Silverdale Land

1 LLC, by and through their attorneys of record, Charles A. Klinge and Richard M. Stephens of
 2 Stephens and Klinge, LLP, and Kitsap County, by and through its attorneys of record, Kitsap County
 3 Senior Deputy Prosecuting Attorneys Anna K. Aruiza and Katherine A. Cummings, respectfully
 4 request that the Court consolidate cause numbers 3:25-cv-05288-JNW and 3:25-cv-05558-DGE
 5 pursuant to Rule 42(a) of the Federal Rules of Civil Procedure and Rule 42(b) of the Local Civil
 6 Rules. Both cases are currently pending in the United States Western District of Washington at
 7 Tacoma, and concern the same parties, entities, real property, and factual basis, and largely the same
 8 legal claims. Consolidation of these cases is in the best interest of judicial economy and will avoid
 9 unnecessary cost and delay.
 10
 11

12 II. STATEMENT OF FACTS

13 The cases sought to be consolidated involve a dispute over Defendant's calculation of
 14 permit, impact, and sewer fees related to the Plaintiffs' development and construction of the
 15 Highlands at Silverdale project located at 11501 Clear Creek Road NW in unincorporated Kitsap
 16 County.
 17

18 The first case, 3:25-cv-05288-JNW, was filed by JSP Silverdale Land LLC, TC Silverdale
 19 Land, LLC, and CG Silverdale Land LLC on April 4, 2025, against Kitsap County. The second
 20 case, 3:25-cv-05558-DGE, was filed by TC Silverdale Land, LLC, JSP Silverdale Land LLC, and
 21 CG Silverdale Land LLC on June 24, 2025, against Kitsap County. Both cases concern the same
 22 entities, real property, and factual basis.
 23
 24

25 III. STIPULATION

26 The Parties stipulate and agree that

- 27 1) The above two referenced cases filed with this Court involve the same parties, entities,
- 28

property, and factual basis, and largely the same legal claims.

- 2) Discovery has not yet commenced and consolidating the cases will increase the efficiency of the discovery process and avoid duplicative requests.
- 3) Handling the cases together will promote efficiency and judicial economy without prejudicing the parties by avoiding separate litigations arising from the same set of facts.
- 4) The parties have just received the Case Scheduling Order in cause number 3:25-cv-05288-JNW. The parties are reviewing that Order, but believe that consolidation will not impact the response to the Order.
- 5) The Court should enter an order consolidating cause numbers 3:25-cv-05288-JNW and 3:25-cv-05558-DGE.

The parties certify that this stipulated motion contains 395 words, in compliance with the Local Civil Rules.

Respectfully submitted this 8th day of July, 2025.

STEPHENS & KLINGE, LLP

CHAD M. ENRIGHT
Kitsap County Prosecuting Attorney

/s/ Charles A. Klinge

CHARLES A. KLINGE, WSBA # 26093
RICHARD M. STEPHENS, WSBA # 21776

/s/ Anna K. Aruiza

ANNA K. ARUIZA, WSBA # 39663
KATHERINE A. CUMMINGS, WSBA # 51646
Senior Deputy Prosecuting Attorneys

Attorneys for Plaintiffs

Attorneys for Defendant Kitsap County

~~PROPOSED~~ ORDER

It is hereby ORDERED that the Stipulation above is approved and that cause numbers 3:25-cv-05288-JNW and 3:25-cv-05558-DGE are consolidated for all purposes, pursuant to Federal Rule of Civil Procedure 42(a) and Local Civil Rule 42(b). It is hereby ORDERED that cause number 3:25-cv-05558-DGE be closed and all documents filed in the future regarding these matters be filed under cause number 3:25-cv-05288-JNW.

DATED this 14th day of July, 2025.



HON. JUDGE JAMAL N. WHITEHEAD
United States District Court Judge